

and playing gospel music. This family entertainment led to the formation of his first band, "The Singing Owens." By the time that Randy entered the fifth grade, he along with his cousin, Teddy Gentry, decided to pursue a career in country music.

During the early struggling years of the band, Randy took odd jobs laying brick and hanging sheetrock, while also attending college. In 1973, Randy received a Bachelor of Arts in English from Jacksonville State University. That same year, Randy, along with his cousins Teddy Gentry and Jeff Cook, decided to devote themselves entirely to their dream. In the next seven years, Randy, Teddy, and Jeff along with various drummers, performed as a group in Myrtle Beach, South Carolina. It was during these years that he met and courted his wife, Kelly—someone who has stood strongly by Randy through his entire career. Kelly's father, who was stationed near Myrtle Beach, was soon transferred abroad, and Randy and Kelly's relationship continued through correspondence.

In 1980, with drummer Mark Herndon on board, the band's debut album, "My Home's In Alabama," was released by RCA and every song from it became a #1 hit. In 1981, "Alabama" was named Top Vocal Group of the Year by the Country Music Association. As the years followed, so did the awards—200 major music awards were bestowed upon the group over the next 15 years.

The most well-known of Randy's charity events, June Jam, is by no means the only charitable cause with which Randy has been involved. He serves as the Celebrity Spokesman for the Alabama Sheriff's Boys and Girls Ranches. He has received the Tamer Award, which is the highest award given for service to St. Jude Hospital on a national level. Currently, he serves as the Spokesperson for the St. Jude's Country Cares Radiothon, raising millions for the Research Hospital.

While Randy has traveled all over the world, and performed all across the United States, as well as abroad, he has never forgotten his community, and his home State, Alabama. Randy resides with his wife Kelly, and three children who have supported their Dad all the way—Alison, Heath and Randa, near Fort Payne, Alabama, which I am proud to represent in the Fourth Congressional District.

With all the honors that have been bestowed over the years, one of the most significant awards came to Randy in 1999, when he was awarded the Alabama Father of the Year by the Alabama Cattlewomen. He says his long range goals are "to help my family achieve a gentle way of living and to be known as friendly to the fans and have a good reputation from fellow musicians."

The profound impact that Randy Owen has had on our State, our Nation, and American culture cannot be measured. On behalf of my colleagues, I express our gratitude to Randy Owen, and wish him many, many more years.

AWARDING A CONGRESSIONAL  
GOLD MEDAL TO FATHER  
HESBURGH

**HON. ANNE M. NORTHUP**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 18, 1999*

Mrs. NORTHUP. Mr. Speaker, I rise today to honor Father Theodore Hesburgh. Father

Hesburgh, president of the University of Notre Dame from 1952 to 1987, has selflessly devoted his time, energy, visions and dreams on behalf of furthering higher education in this country. In addition, his undaunting service to the underprivileged communities all across this nation, and the world, has made a significant impact in the lives of so many.

As an educator, you can find impressions of Father Hesburgh's teachings just about anywhere you look. Father Hesburgh encouraged high academic standards and preached a universal commitment to the service and helping of others. He often inspired his students to look at the world through opened eyes and challenged them to go out and make a difference. His dedication to improving the lives of others was global in nature and he knew no boundaries for race or ethnicity. Those who have learned these important life lessons from Father Hesburgh are here in Congress, Presidential Cabinets, Catholic churches, and scattered throughout our local communities.

I am a graduate of Saint Mary's College, the sister institution of Notre Dame, and part of the student body that Father Hesburgh so vastly inspired. For many reasons, I often think back to my college days, and draw upon the values and traditions instilled in me by the mission of these institutions. I truly believe that what I learned under the leadership of Saint Mary's, Notre Dame and Father Hesburgh will help guide me in the right direction as a public servant and make the right decision for those who put their trust in me.

Father Hesburgh was always challenging those he met to be a better person, and the Hesburgh Center for Peace studies is a lasting and continuing tribute to his good work. In addition, his accomplishments from 15 Presidential appointments have contributed greatly to our progress as a nation which strives to provide justice and equality for its people and those throughout the world.

Mr. Speaker, it is my honor to salute Father Hesburgh and to commend the House of Representatives for passing H.R. 1932, which authorizes the President of the United States to award him with a gold medal on behalf of Congress. I can think of none more deserving of this most prestigious honor.

HONORING GEORGE BROWN AND  
LINUS PAULING

**HON. JERRY LEWIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 18, 1999*

Mr. LEWIS of California. Mr. Speaker, I would like today to call your attention to an exhibition that has recently opened at the National Museum of Health and Medicine: "Linus Pauling and the Twentieth Century." This exhibition, which was viewed by more than 20,000 school children at the California Institute of Technology, was brought to Washington largely through the efforts of our late friend and colleague, George E. Brown, Jr.

Congressman Brown, as we all know, held a passionate belief that there is a special relationship between excellence in education, pushing back the frontiers of scientific knowledge, and the pursuit of peace. These themes are celebrated by the exhibition on the life, work and times of Linus Pauling.

Dr. Pauling is the only person ever to win two unshared Nobel prizes. In 1954 he was given the Nobel Prize in Chemistry for the discovery of the nature of the chemical bond, and in 1962 he won the Nobel Peace Prize for his efforts to end atmospheric testing of nuclear weapons. Congressman Brown believed that Pauling's commitment to science and to an unwavering idealism make the exhibition on his life especially instructive to today's young people.

Mr. Speaker, I ask you and my colleagues to join me in honoring Congressman Brown for his efforts to bring this exhibition to the Nation's Capital, and to express our appreciation to the organizing committee for making the exhibit possible: Oregon State University, the Linus Pauling family, and the Soka Gakkai International and its founder, Daisaku Ikeda, whose friendship with Pauling inspired the exhibit.

RECOGNIZING THE ARKANSAS  
BANKERS ASSOCIATION'S SUP-  
PORT FOR FINANCIAL MOD-  
ERNIZATION

**HON. ASA HUTCHINSON**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 18, 1999*

Mr. HUTCHINSON. Mr. Speaker, on behalf of the Arkansas Bankers Association, I would like to submit their remarks regarding a specific section of S. 900, the Financial Modernization bill, which has particular interest and importance to Arkansas. This section is titled "Interest Rates and Other Charges at Interstate Branches."

With the passage of the Riegle-Neal Interstate Banking and Branching Act several years ago, the question arose as to which state law concerning interest rates on loans would apply to branches of the interstate banks operating in a "host state". Would those branches be governed by the interest rate ceiling of the charter location or that of their physical location? The office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation addressed this issue with options that basically give branches of interstate banks the option of being governed by either their home or host state requirements concerning interest rates by structuring the loan process to meet certain requirements.

In Arkansas this has had a profound effect upon our local banking community. Arkansas has a usury ceiling that places the maximum rate that can be charged for many classes of loans at 5% above the Federal Reserve Discount Rate. However, over 40% of our banking locations in the state, those that are branches of non-Arkansas based interstate banks, are in effect no longer governed by this law. The out of state banks are free to price according to risk, and thus charge lower rates for the better credits and higher rates for the lower quality credits. However, local Arkansas banks cannot price according to risk and are thus placed at a significant competitive disadvantage.

In recognition of this inequity and the fact that if not corrected our state may lose virtually all of its local community banks, the Arkansas delegation supports language that provides our local banks with the loan pricing parity in all regards with non-Arkansas interstate banks operating branches in Arkansas. Indeed, this is the intent of the section concerning Interest Rates at Interstate Branching.

The entire Arkansas Delegation is on record supporting this section as well as Governor Mike Huckabee, and Bank Commissioner Frank White. Further, a joint meeting of the state house unanimously passed a resolution requesting the Arkansas Congressional Delegation to address this important issue.

Very simply, the situation of placing local Arkansas banks at a severe competitive disadvantage is a result of the comptroller-general's interpretation of the Rieggle-Neal Interstate Banking and Branching Act.

Mr. Speaker, from these words it is clear that the legislation is intended to assist community banks in Arkansas and allow Arkansans to receive loans and invest funds in their home state. With the passage of S. 900, I want to congratulate my colleagues on a job well done. This legislation will enable our financial industry to move into the next century. This bill not only helps states like Arkansas, but the nation as a whole.

#### PASSAGE OF H.R. 3090

#### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. YOUNG of Alaska. Mr. Speaker, I would like to provide additional explanatory information regarding the provisions in H.R. 3090.

At the time of passage of H.R. 3090 by the Committee on Resources, the Committee Members on both sides of the aisle agreed that there were likely to be additional changes to this bill prior to its being taken to the floor of the House. Such changes were ones that the Committee anticipated would be developed between the Department of Interior and Elim as well as with the concurrence of the majority and the minority of the Committee. Those changes were worked out. A number of improvements were made to the bill in addition to some reorganization of the sections to assist in providing clarity to the bill. What follows is a brief explanation and a section-by-section analysis of the bill as it is brought before the House.

As I had indicated in my earlier remarks, this legislation is long overdue. It is a matter of equity and fairness that, in furtherance of the underlying goals of the Alaska Native Claims Settlement Act (ANCSA), replacement lands should be conveyed to the Elim Native Corporation under Section 19 of ANCSA. The Committee's intent is that such conveyances authorized in this legislation be treated as other conveyances to Elim were treated in the past with respect to other applicable sections of ANCSA, except that the conveyances under the bill will additionally have certain covenants, reservations, terms, and conditions that are applicable.

It is recognized that the watersheds that are likely to be selected under this provision (Clear Creek, Tubutulik River, and the Qwik River) are ones which provide a vital source of food in the form of fish as well as sustenance for wildlife and plants on which the people of Elim are, in part, dependent.

The Committee considered utilizing the lands on the eastern edge of the original Norton Bay Reservation as replacement lands to Elim for the 50,000 acres which were deleted in 1929. However, because—(1) there have

been a number of acres of those lands (in particular along the coastline) which had been conveyed to the Village of Koyuk or which were subject to allotments; (2) of the sensitivity of that area to Koyuk; (3) with the knowledge today that, the rivers to the north of the original Norton Bay Reservation are of substantial significance to the long-term viability of the Elim Native Corporation in the future, the Committee concluded that the area to the north of the current of boundary of Elim land holdings was a more appropriate place from which Elim should select replacement lands than the original area deleted in 1929.

In addition, provisions were negotiated with Elim which represent a good faith effort by all sides to remedy the injustice to Elim from many years past as well as to protect the resources of this area with several unique natural features. As a result of those negotiations, Elim will have full access to the use of the timber on the lands to be conveyed for building of homes, cabins, lodges, firewood, and other domestic uses on Elim lands, but agreed not to cut or remove Merchantable Timber for sale. This will permit Elim to make beneficial, developmental, and economic use of lands while conserving most of the forested lands for their wildlife habitat benefits.

As a part of the balancing of interests, the Committee agreed to language that would provide a 300 foot buffer area around Clear Creek and the Tubutulik River should they be selected by and conveyed to Elim. In that area, there would be no support structures or development or activities permitted unless they would not or are not likely to cause erosion or siltation that would significantly adversely impact the water quality or fish habitat of these two water courses.

The Committee believes that the bill as reported along with the amendments as brought before the House represents a reasonable and responsible approach to dealing with and resolving this issue. It will remedy an injustice to Elim of many years and do so in a way that is appropriate given the circumstances as they are in 1999.

Provisions of the legislature are further explained in the section-by-section analysis that follows:

#### SECTION-BY-SECTION ANALYSIS

##### Section 1. *Elim Native Corporation Land Restoration.*

This section amends the Alaska Native Claims Settlement Act by amending Section 19 by adding a new subsection (c).

Subsection (c)(1) sets out findings regarding the background and need for the legislation.

Subsection (c)(2) describes the lands to be withdrawn ("Withdrawal Area") by reference to a map dated October 19, 1999, and withdraws the lands from all forms of appropriation or disposition under the public land laws for a two-year period.

Subsection (c)(3) authorizes Elim to select and ultimately receive title to 50,000 acres of lands from the lands inside the Withdrawal Area. The Secretary of the Interior is authorized and directed to convey to Elim the fee to the surface and subsurface estate in 50,000 acres of valid selections, subject to the covenants, reservations, terms and conditions in subsection (c).

Subsection (c)(3)(A) provides two years after the date of enactment for Elim to make its selections. To ensure that it receives the 50,000 acres, under this subparagraph Elim may select up to 60,000 acres and must

prioritize its selections at the time it makes the selections. Elim may not revoke or change its priorities. Elim must select a single tract of land adjacent to U.S. Survey No. 2548, Alaska, that is reasonably compact, contiguous, and in whole sections except for two situations. The withdrawn lands remain withdrawn until the Department has conveyed all the lands that Elim Native Corporation is entitled to under subsection (c).

Subsection (c)(3)(B) provides that, in addition to being subject to valid existing rights, Elim's selections may not supercede prior selections by the State of Alaska or other Native corporations, or valid entries by private individuals unless the State, Native Corporation, or individual relinquishes the selection entry prior to conveyance to Elim.

Subsection (c)(3)(C) provides that, on receipt of the Conveyance Lands, Elim will have all the legal rights and benefits as landowner of land conveyed under this Act subject to the covenants, reservations, terms and conditions in subsection (c). All other provisions of this Act that were applicable to conveyances under subsection (b) are applicable to conveyances under subsection (c).

Subsection (c)(3)(D) makes clear that selection by and conveyance to Elim Native Corporation of these lands is in full satisfaction of any claim by Elim Native Corporation of entitlement to lands under section 19 of this Act.

Subsection (c)(4) provides that the covenants, terms and conditions in this paragraph and in paragraphs (5) and (6) will run with the land and be incorporated into any interim conveyance or patent conveying the lands to Elim.

Subsection (c)(4)(A) provides that Elim has all the rights of landowner to, and to utilize, the timber resources of the Conveyance Lands including construction of homes, cabins, for firewood and other domestic uses on any Elim lands, except for cutting and removing Merchantable Timber for sale and constructing roads and related infrastructure for the support of such cutting and removing timber for sale.

Subsection (c)(4)(B) modifies P.L.O. 5563 to permit selection by Elim of lands encompassing prior withdrawals of hot or medicinal springs subject to the applicable covenants, reservations, terms and conditions in paragraphs (5) and (6).

Subsection (c)(4)(C) provides that if Elim receives conveyance to lands encompassing the Tubutulik River of Clear Creek, or both, Elim will not allow activities in the bed or within 300 feet of these water courses which would cause or would likely cause erosion or siltation so as to significantly adversely impact water quality or fish habitat.

Subsection (c)(5)(A) sets forth the first of a series of rights to be retained by the United States in the conveyances in paragraph (3). Subparagraph (A) is a retained right to enter the conveyance lands for purposes outlined after providing notice to Elim and an opportunity to have a representative present.

Subsection (c)(5)(B) provides for retaining rights and remedies against persons who cut or remove Merchantable Timber.

Subsection (c)(5)(C) provides for the retention of the right to reforest if Merchantable Timber is destroyed by fire, insects, disease or other man-made or natural occurrence, except for such occurrences that occur from Elim's exercise of its rights to use the conveyance lands as landowner.

Subsection (c)(5)(D) provides for the retention of the right of ingress and egress to the public under section 17(b) of ANCSA to allow the public to visit, for non-commercial purposes, the hot springs located on the conveyance lands and to use any part of the hot springs that is not commercially developed.

Subsection (c)(5)(E) provides for retaining the right to the United States to enter the